

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Office Action of April 1, 2003 has been received and contents carefully reviewed. Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claim 15.

By this Amendment, Applicant cancels claims 9 and 20 without disclaiming the underlying subject matter. Accordingly, claims 1-8 and 10-19 are currently pending in the present application. Reexamination and reconsideration of the application are respectfully requested.

In the Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a) with respect to claims 9 and 20; rejected claims 9 and 20 under 35 U.S.C. § 112 ¶2; rejected claims 1-3, 5-10 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 4-7, 9-13, 15-16, 18 of Kim et al. (U.S. Patent No. 6,145,663) in view of Moren et al. (U.S. Patent No. 6,142,304); rejected claims 1-14, 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Gale (U.S. Patent No. 5,806,683) in view of Moren et al.; rejected claims 1-14 and 16-20 under 35 U.S.C. § 103(a) as being unpatentable over Moren et al. Applicant respectfully traverses these rejections.

Applicant respectfully submits that the objection to the drawings and the rejection of claims 9 and 20 under 35 U.S.C. § 112 ¶2 are now believed to be moot in view of the cancellation of claims 9 and 20.

With respect to the rejection of claims 1-3, 5-10 under the judicially created doctrine of obviousness-type double patenting, Applicant respectfully submits that claims 1-2, 4-7, 9-13, 15-16, 18 of the present application are not obvious over Kim et al. in view of Moren et al. However, for the sole purpose of expediting the prosecution of the application, Applicant hereby submits a Terminal Disclaimer to overcome the rejection. Applicant submits that this rejection is moot in view of the Terminal Disclaimer filed concurrently herewith.

The rejections of claims 1-14, 17-20 under 35 U.S.C. § 103(a) as being unpatentable over

Gale in view of Moren et al. and claims 1-14 and 16-20 under 35 U.S.C. § 103(a) as being unpatentable over Moren et al. are respectfully traversed and reconsideration is requested.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, “an upper plate extending from an upper side of said first side wall...” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 1, and claims 2-8 and 10-11, which depend therefrom, are allowable over the cited references.

The Examiner cites Gale as disclosing “an upper plate 16 extending from one of the side walls.” (Office Action p.4) Applicant respectfully disagrees with the Examiner in that the numeral 16 appears to be one of sidewalls of the molded fiber inner structure in Fig. 1 of Gale. See, for example, Col. 2, lines 41 of Gale.

Claim 12 is allowable over the cited references in that claim 12 recites a combination of elements including, for example, “an upper plate extending from an upper edge of the first side wall to an upper edge of the second side wall” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 12, and claims 13-19, which depend therefrom, are allowable over the cited references.

Applicant believes the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited. If the Examiner deems that a telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number (202) 496 - 7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the


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filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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